REMARKS

In the Office Action of March 1, 2005 the Examiner objected to the Abstract length, rejected claims 1, 3 through 11 and 13 through 20 under 35 USC 103 (a) under Bulwidas taken in view of the Canadian Patent '443, and further rejected claims 12 and 12 under 35 USC 103 (a) under Bulwidas taken in view of the Canadian Patent '443 and in view of reference bbb.

Applicant responds as follows:

I. Abstract Objection

The objected length of the Abstact is acknowledged and has been corrected by the above amendment.

II. Rejection Under 35 U.S.C. 103 (a) Based On Bulwidas In View of the Canadian Patent '443

Claims 1, 3 through 11 and 13 through 20 were rejected under 35 U.S.C. 103 (a) based on Bulwidas in view of the Canadian Patent. We respectfully disagree.

The primary reference to Bulwidas was cited by applicant and is directed to the prior art device that creates the very problems that the present invention is directed to overcoming. More specifically, the Bulwidas patent descibes a hand-operated welding unit that employs a box mounted, side squeezed button that does not afford good control to a user holding the device in one hand. Structurally it is totally different from and contrary to the structure and teachings of the present invention. Bulwidas requires sideways movement relative to the handle wherein the button slides in and out at right

angles to the handle in a separate plane from the handle. This structure is not the same as a present invention pivoting trigger that is spring-biased away from the handle and is easily pulled toward the handle to exercise easy and perfect control over current change. Second, the Bulwidas device is not only difficult due to its path of button movement for ever user, but is a nightmare for left handed users. The Bulwidas device must be palm operated instead of finger operated for lefties, or it must be turned upside down and used in this ridiculous position for lefties to have the button finger-operated. The present invention device specifically requires a trigger. The new claims now specifically set forth that which was stated in the specification as originally filed, namely, that the trigger is connected to the handle, that the trigger has a pivot means and that the trigger is spring biased away from the handle. The Bulwidas patent teaches none of these features and teaches away from the present invention but providing an add-on device with its own separate housing that is ring-clamped to the handle. To summarize the Bulwadis deficiencies:

1.) The Bulwadis control device does not have a trigger (it has a button);

2.) The Bulwadis control device does not have a pivot mechanism (it has a reciprocal button);

3.) The Bulwadis control device does is not attached to the handle (it is attached to the control box that is attached to the handle);

4.) The Bulwadis control device is not biased away from the handle so that it can be squeezed toward the handle (its control device does not even operate in the same plane as and is squeezed across the axis of the handle);

5.) The Bulwadis device does not have a two connection set up with a first connection for gas or water and a second connection for power supply;

6.) The Bulwadis device does not have a geared rotary potentiometer with a rack gear functionally connected to a trigger;

7.) The Bulwadis device does not have a handle that extends downwardly from a barrel at 60 to 125 degree angle.

The secondary reference Canadian patent does not overcome any of the shortcomings of the Bulwidas reference and teaches away from the present invention. This Canadian patent shows an electric arc welding torch with a handle mounted button controller for feeding wire. It would not be possible to combine the teachings of the two references without creating an unusable device. One with both the wire speed controller and the power controller would make a user take his finger off the power button to press the feed button and vice versa. The device couldn't even function in this manner.

Additionally, there is no motivation in either patent to combine their teachings. The combination is unworkable, and, even if successful, the combination would not result in the present invention because the secondary patent does nor overcome the shortcomings of the primary reference.

III. Rejection Under 35 U.S.C. 103 (a) Based On Bulwidas

In View of the Canadian Patent '443 and further in View of bbb

Claims 2 and 12 were rejected under 35 U.S.C. 103 (a) based on Bulwidas in view of the Canadian Patent and in view of bbb. We respectfully disagree.

First, all of the comments regarding the primary reference to Bulwidas and regarding the secondary Canadian reference and their combination, set forth above, are repeated and incorporated herein as to this rejection. Although there was a typo or other error in the Office Action regarding the tertiary reference to bbb, from the examiner's statements, it is clear that the Examiner is referring to a third reference that teaches a linear potentiometer. That such exists is conceded, although not in the context of the present invention claims. Nonetheless, whatever the reference bbb was intended, it could not overcome all of thew shortcomings of the first two references, else it would be applied supra.

IV. Summary

For all the above reasons, the rejections should be withdrawn. In view of the above amendments and remarks, it is urged that claims 21 through 40 should be allowed.

Thank you.

Respectfully submitted,

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